



04-30-07

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Docket No.: 11345/063001  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hélène Bouilloux-Lafont et al.

Application No.: 10/533,848

Confirmation No.: 7896

Filed: May 4, 2005

Art Unit: 3622

For: SELECTING ADVERTISEMENT ON A SET  
TOP BOX IN A TELEVISION NETWORK

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a copy of which is attached hereto, has an incorrect 371(c) date. Applicants respectfully request that the 371(c) date be corrected from "06/25/2006" to --01/25/2006-- as shown in the enclosed copy of:

- 1) the Examiner's Decision which shows the correct 371(c) date.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 11345/063001.

Dated: April 27, 2007

Respectfully submitted,

By 

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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/533,848	06/25/2006	3622	1030	11345/063001	9	2

CONFIRMATION NO. 7896

22511  
 OSHA LIANG L.L.P.  
 1221 MCKINNEY STREET  
 SUITE 2800  
 HOUSTON, TX 77010

## FILING RECEIPT



\*OC000000022677763\*

<input checked="" type="checkbox"/> New <input type="checkbox"/> Previously <input type="checkbox"/> Non Required		
Docketed Action:		
Docket Number: <u>11345/063001</u>		
Attorney Initials: <u>JPD/SMR</u>		
Docketing Initials: <u>CLAS</u>		

Date Mailed: 03/12/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Helene Bouilloux-Lafont, Issy Lee Moulineaux, FRANCE;  
 Olivier Bister, Anncey, FRANCE;  
 Franck Bachet, Houdan, FRANCE;  
 Axel Taldir, Savigny Sur Orge, FRANCE;

**Power of Attorney:** The patent practitioners associated with Customer Number 22511.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/50787 11/04/2003

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 0229275.1 11/05/2002

If Required, Foreign Filing License Granted: 02/27/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/533,848**

Projected Publication Date: Not Applicable

Non-Publication Request: No

**Early Publication Request: No**

**Title**

Selecting advertisement on a set top box in a television network

**Preliminary Class**

705

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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17 OCT 2006

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<input type="checkbox"/> New	<input type="checkbox"/> Previously	<input checked="" type="checkbox"/> Non Required
Docket Number: 11345/063001		
Attorney Initials: JPL/Smm		
Docketing Initials: DWS		

In re Application of BOUILLOUX-LAFONT et al  
U.S. Application No.: 10/533,848  
PCT Application No.: PCT/EP02/50787  
Int. Filing Date: 04 November 2003  
Priority Date Claimed: 05 November 2002  
Attorney Docket No.: 11345/063001  
For: SELECTING ADVERTISEMENT ON A SET  
TOP BOX IN A TELEVISION NETWORK

DECISION

This is in response to applicant's "Renewed Petition Under 37 CFR § 1.47(a)" filed 16 June 2006.

BACKGROUND

On 04 November 2003, applicant filed international application PCT/EP02/50787, which claimed priority of an earlier European Patent Office application filed 05 November 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 21 May 2004. The thirty-month period for paying the basic national fee in the United States expired on 05 May 2005.

On 04 May 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 28 September 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 25 January 2006, applicant filed a petition under 37 CFR 1.47(a).

On 17 March 2006, this Office mailed a decision dismissing the 25 January 2006 petition.

On 16 June 2006, applicant filed the present renewed petition under 37 CFR 1.47(a).

## DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) an oath or declaration by each applicant on his or her own behalf and on behalf of the nonsigning joint inventors, (2) factual proof that the missing joint inventors refuse to join in the application or cannot be reached after diligent effort, (3) the fee set forth in §1.17(i), and (4) the last known addresses of the nonsigning joint inventors.

Petitioner has previously satisfied items (1), (3), and (4) above.

With regard to item (2) above, MPEP 409.03(d) states in relevant part,

Where inability to find or reach a nonsigning inventor "after diligent effort" is the reason for filing under 37 CFR 1.47, an affidavit or declaration of facts should be submitted which fully describes the exact facts which are relied on to establish that a diligent effort was made. . . . The affidavit or declaration of facts must be signed, where at all possible, by a person having firsthand knowledge of the facts recited therein. Statements based on hearsay will not normally be accepted. Copies of documentary evidence such as certified mail return receipt, cover letter of instructions, telegrams, etc., that support a finding that the nonsigning inventor could not be found or reached should be made part of the affidavit or declaration. It is important that the affidavit or declaration contain statements of fact as opposed to conclusions.

The petition states that joint inventors Helene Bouilloux-Lafont, Franck Bachet, and Axel Taldir cannot be reached. The petition sufficiently demonstrates that a diligent attempt was made to find the inventors. Two attempts were made to contact the inventors by postal mail (see affidavit of Isabelle Thibaudeau). Furthermore, petitioner unsuccessfully attempted to reach the inventors through their employer (see affidavit of Frederique Dersoir). Thus, it can be concluded with reasonable certainty that inventors Bouilloux-Lafont, Bachet, and Taldir cannot be reached.

## CONCLUSION

For the reasons above, the renewed petition under 37 CFR 1.47(a) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 04 November 2003, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 25 January 2006.

As set forth in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventors at the last known addresses of record and will be published in the *Official Gazette*.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

*Bryan Lin*

Bryan Lin  
PCT Legal Examiner  
PCT Legal Office

Telephone: 571-272-3303  
Facsimile: 571-273-0459



Application No. (if known): 10/533,848

Attorney Docket No.: 11345/063001

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM052144685US in an envelope addressed to:

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on April 27, 2007  
Date

A handwritten signature in black ink, appearing to read "Salena H. Gourrier". It is written in a cursive style with a long, sweeping line.

Signature

Salena Hearne Gourrier

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

Telephone Number

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